

NOTICE OF EMERGENCY RULE REPEAL & PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION : DMR Regulation 95.03 VV, Closed Area No. 18-Z, Cliff Island to Bailey Island, Casco Bay, promulgated on November 14, 1997, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 VV, Closed Area No. 18-Z, Bates Island to Bailey Island, Cumberland and Harpswell.

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, and mussels from all shores, flats and waters of Casco Bay in the following areas:

1. Inside of a line beginning at the southernmost tip of Eagle Island, Harpswell; then running northeasterly to the southernmost tip of Great Mark Island; then running northerly to the northernmost tip of Great Mark Island following the low tide mark on the eastern side of the island; then running northerly to the northeasternmost tip of Haskell Island; then running westerly to northwesternmost tip of Haskell Island; then running westerly to the northernmost tip of Uppper Flag Island; then running southwesterly to the southwesternmost tip of Upper Flag Island following the low tide mark on the western side of the island; then running southerly to the northernmost tip of Eagle Island; then running southerly to the southernmost tip of Eagle Island following the low tide mark on the western side of the island, AND.

2. Inside and easterly of a line beginning at the most northern tip of Bates Island, Cumberland; then running southwesterly to the most southern tip of Ministerial Island; then running southeasterly to the most southern tip of Bates Island.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: April 16, 1999

AGENCY CONTACT PERSON: Paul S. Anderson
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TIMES RECORD
April 21, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 VV, Closed Area No. 18- Z, Bates Island to Bailey Island, Cumberland and Harpswell, promulgated on November 14, 1997, and replaces it with a new rule. This new rule reduces the previous closure.

Department personnel have surveyed the shore for pollution sources and have determined that there are no potential pollution problems in the newly opened area. Discharges in the area remaining closed pose a threat to public health.



E. PENN ESTABROOK
COMMISSIONER, ACTING



Department of Marine Resources

Legal Notice of Shellfish Closure Area

C18Z

